IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE FOURTH DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 15093 of 2004

Between:

1 G.Mohan Reddy, s/o Jogi Reddy,
r/o Flat No.106, Akanksha Apartments, Street No.8,
Tarnaka, Secunderabad.
2 N.Ajay Reddy, s/o Indra Reddy,
r/o 1-92/5, Street No.1, Habsiguda, Tarnaka, Secunderabad.
3 Smt.G.Shanta Kumari, w/o Jogi Reddy,
r/o Flat No.106, Akanksha Apartments, Street No.8, Tarnaka, Secunderabad.

..... PETITIONER(S)

AND

1 The Commissioner of Police, Cyberabad, Lakdikapul, Hyderabad.
2 The Station House Officer, L.B.Nagar, Hyderabad.
3 The Mandal Revenue Officer, Saroornagar Mandal, Saroornagar, R.R.District.

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ or direction one or more in the nature of writ of mandamus directing the respondents not to interfere with our construction activity in our property viz., All that land in all admeasuring 32 guntas in Survey No.200 situated at Karmanghat Village, Saroornagar Mandal, R.R.District bounded on the North by Neighbour's property; South by Survey No.196, East by neighbour's property and West by Road and also not to involve themselves in property matters which is civil in nature.

Counsel for the Petitioner: MR.D.MADHAVA RAO

Counsel for the Respondents: GP FOR HOME

The Court at the stage of admission made the following ORDER:

The petitioners seek a writ of Mandamus directing the respondents not to interfere with the construction activity in the property situated in Survey No.200 of Karmanghat Village, Saroornagar Mandal, Ranga Reddy District.

On behalf of respondents 1 and 2, Station House Officer, L.B.Nagar Police Station filed a counter affidavit dated 26-10-2004, denying the allegations made by the petitioners and stating that they addressed a letter to the third respondent-Mandal Revenue Officer, Saroornagar Mandal, Ranga Reddy District to conduct survey of the land in question so as to fix the boundaries in Survey Nos.196 and 200 in order to resolve the dispute. The third respondent addressed a letter dated 26-06-2004 stating that Jala Butchaiah and others submitted a representation complaining that Arpitha Constructions is undertaking construction work in the land bearing Survey No.196 of Kharmanghat, Saroornagar Mandal, Ranga Reddy District, despite the orders of the Court. It is further stated that the allegation of the petitioners that they are being harassed by the respondents is false and that the police officials have never been sent nor the labourers were threatened to stop the work in Survey No.200.

In view of the averments in the counter-affidavit denying the alleged interference with the construction activity of the petitioners, no adjudication is necessary on merits.

Accordingly, recording the statement of the respondents in the counter affidavit, the writ petition is disposed of. No costs.

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04-11-2004

kdl

To

1 The Commissioner of Police, Cyberabad, Lakdikapul, Hyderabad.
2 The Station House Officer, L.B.Nagar, Hyderabad.
3 The Mandal Revenue Officer, Saroornagar Mandal, Saroornagar, R.R.District.

4 Two C.Cs. to the Government Pleader for Home, High Court Buildings, A.P., Hyderabad.

5 Two C.D. Copies.